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U.S. DISTRICT COURT
SAN JUAN, PR

Janette R. Bonilla Rodríguez
Responding Claimant
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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO
RICO,

as representative of,

THE COMMONWEALTH OF PUERTO
RICO, *et al.*,

Debtors¹

PROMESA
Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**This filing relates to the PROOF OF
CLAIM No. 126600 against the
Commonwealth.**

**This is an Amended Response to Omnibus
Objection.**

**AMENDED RESPONSE TO ONE HUNDRED TWENTY-FOURTH
OMNIBUS OBJECTION (NON-SUBSTANTIVE) OF THE COMMONWEALTH
OF PUERTO RICO, PUERTO RICO HIGHWAYS AND TRANSPORTATION
AUTHORITY, AND EMPLOYEES RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO TO DEFICIENT
CLAIMS ASSERTING INTERESTS BASED ON SALARY DEMANDS,
EMPLOYMENT OR SERVICE PROVIDED**

TO THE HONORABLE COURT:

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474).
RESPONSE TO OBMNIBUS OBJECTION - 1

1 **COMES NOW**, Janette R. Bonilla Rodríguez, responding claimant and party-in-interest
2 as to the Commonwealth of Puerto Rico, pro se, and very respectfully states and prays:

- 3 1. The undersigned, a party-in-interest in the above captioned case, has timely filed a
4 Proof of Claim dated June 28, 2018, Case Number 17 BK 03283-LTS, against the
5 Commonwealth of Puerto Rico, Claim Number 126600, in the amount of \$17,010.00,
6 based on salary demands. This amount is approximate; hence it could result to be a
7 greater amount.
8
- 9 2. The Commonwealth of Puerto Rico filed the Omnibus Objection alleging the Proof
10 of Claim is deficient due to failing to provide information necessary for the Debtor
11 to determine whether the claim is valid.
12

13 **Reasons for Opposing the Omnibus Objection**

14 The claimant opposes the Omnibus Objection for the reasons exposed as follows:

- 15 1. According to declaration of Jay Herriman, Managing Director of A&M (Exhibit B
16 of the Omnibus Objection), a letter was sent to each of the claimants who filed
17 Deficient Claims requesting additional information and supporting documentation,
18 but the undersigned never received said notification.
19
- 20 2. The undersigned, herein the Responding Claimant, is employee of the
21 Commonwealth of Puerto Rico, specifically working for the Department of
22 Education as an English teacher since 2006 to the present (**Exhibit 1**), activated to
23 the *Carrera Magisterial* since 2013 (**Exhibit 2**), and obtained a Master of
24 Education in 2015, conferred by Universidad del Turabo (**Exhibit 3**).
25
- 26 3. The claim against the Commonwealth of Puerto Rico is in regard to salary due by
27 the Department of Education to the claimant, on the basis of Law 158, known as the
28

1 *Ley de la Carrera Magisterial* (The Teaching Profession) of 1999. Also, on the
2 basis of Law 109 of 2008, known as *Ley de aumento del salario básico a los*
3 *maestros*. Another amount on the basis of Law 164 of 2003, known as *Ley para*
4 *conceder un aumento de sueldo de cien dólares a los empleados Públicos del*
5 *Gobierno Central de ELA, efectivo el 1ro de enero de 2004*. We are also including
6 the amount related to Law 180 of 1998, known as *Ley de Salario Mínimo,*
7 *Vacaciones y Licencia por Enfermedad de Puerto Rico*, Law 169 of 1999, known as
8 *Ley para consignar en OGP cien millones de dólares para aumentos a empleados*
9 *públicos*, Law 431 of 2000, known as *Ley para enmendar el Artículo 1, de la Ley*
10 *Núm. 410 de 8 de octubre de 2000: Aumento de salarios*, and Law 96 of 2002,
11 known as *Ley para conceder un aumento de sueldo de cien (100) dólares a los*
12 *empleados públicos del gobierno*.

- 13
14
15 4. In the case of the *Carrera Magisterial*, the Department of Education paid only the
16 activation to this system in 2013 (\$122.50) (**Exhibit 2**), but in accordance to Law 66
17 of 2014, revisions of salaries were frozen and claimant did not receive the wage
18 increase to the reason of \$87.50 to the basic monthly salary per each year for 5 years
19 to a total sum of \$595.00, and the amount stated in the Proof of Claim was based on
20 an approximated calculation of the salaries earned but unpaid to the amount of
21 approximately \$17,010.00 (**Exhibit 4**).
- 22
23 5. In terms of Law 109 of 2008, the same establishes that “any person who is currently
24 occupying the position of the teacher will be granted an increase of one hundred and
25 fifty (150) dollars per month from the 1st. July 2008.” However, to the best of her
26 knowledge, information, and belief, the claimant did not receive such increase of
27
28

1 salary. Calculating said monthly amount of \$150.00 to the year 2019, it is a total
2 amount of approximately \$19,800.00 (**Exhibit 5**). Because this amount was
3 undetermined at the date of the filing the Proof of Claim, it was included in the
4 approximate amount established in the Proof of Claim, which amount could be a
5 greater amount.
6

7 6. In accordance to Law 164 of 2003 (**Exhibit 6**), Law 96 of 2002 (**Exhibit 7**), Law 431
8 of 2000 (**Exhibit 8**), and Law 169 of 1999 (**Exhibit 9**), they entitle the employee with
9 salary increase of \$100.00 monthly each one.
10

11 7. Law 180 of 1998 (**Exhibit 10**), entitles employee to an increase of \$25.00 monthly
12 due to cost of living increase.

13 8. The approximate total amount of the claim is as of this date **\$103,125.00**, along with
14 any other amount for salaries earned but unpaid by the Commonwealth of Puerto
15 Rico, Department of Education to the undersigned, according to any law applied to
16 this claimant.
17

18 9. Hereby the claimant attach the requested supporting documentation, evidence, and
19 additional information to the claim, and requests for the Court to disallow the
20 objection to the Proof of Claim number 126600 against the Commonwealth of
21 Puerto Rico, and deem the claim as valid and allowed.
22

23 **WHEREFORE**, it is respectfully requested from this Honorable Court that the Omnibus
24 Objection being not granted with respect to my claim, to accept the supporting documentation,
25 evidence and additional information to Proof of Claim number 126600 against the
26 Commonwealth of Puerto Rico, and deem it as valid and allowed.
27
28

1 **CERTIFICATE OF SERVICE:** I hereby certificate that I will file and serve this
2 document through the U.S. mail to the Clerk's Office, United States District Court, the
3 Oversight Board, and the Creditors' Committee at the following addresses: Clerk's Office,
4 United States District Court, Room 150 Federal Building, San Juan, Puerto Rico 00918-1767;
5 Counsel for the Oversight Board, Proskauer Rose LLP, Eleven Times Square, New York,
6 New York 10036-8299; Counsel for the Creditors' Committee, Paul Hastings LLP, 200 Park
7 Avenue, New York, New York 10166, Attn. Luc A. Despins, James Bliss, James Worthington,
8 and G. Alexander Bongartz.
9

10 **RESPECTFULLY SUBMITTED,**

11
12 In Guayama, Puerto Rico, on this 17th day of February of 2020.
13
14

15 

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17 Responding Claimant
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